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November 6, 2018

BY ELECTRONIC DELIVERY

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington D.C. 20554

Re: Permitted Oral *Ex Parte* Notice
Wireless E911 Location Accuracy Requirements
PS Docket No. 07-114

Dear Ms. Dortch:

On November 2, 2018, representatives of NextNav, LLC ("NextNav") participated in a meeting with the staff of the Public Safety and Homeland Security Bureau ("PSHSB"). Participating in the meeting on behalf of the Bureau were David Furth, Rasoul Safavian, Austin Randazzo, Eric Ehrenreich, Brenda Boykin and Nellie Foosaner. Participating in the meeting on behalf of NextNav were Gary Parsons, Chairman; Ganesh Pattabiraman, CEO and Co-Founder; Bruce Cox, Senior Director, Regulatory & Public Safety; and the undersigned. The purpose of the meeting was to discuss the procedural process that would be employed by the Commission to adopt a z-axis metric following the Bureau's release of a public notice[1] seeking comment on the z-axis proposal submitted by the major wireless carriers.[2]

The NextNav representatives emphasized the need to proceed expeditiously with the adoption of a z-axis metric. The public safety community has repeatedly made clear its desire for and need of accurate vertical location in urban markets, and a sufficient technical record exists for the Commission to immediately adopt a z-axis metric of 3 meters as an alternative to the dispatchable location requirement. In contrast, the Commission's 2015 decision to mandate the

[1] *Public Safety and Homeland Security Bureau Seeks Comment on Vertical (Z-Axis) Accuracy Metric Proposed by the Nationwide Wireless Carriers*, Public Notice, PS Docket No. 07-114, DA 18-928 (Sept. 10, 2018).

[2] *See* Letter from Scott K. Bergmann, Senior Vice President of Regulatory Affairs, CTIA, *et al.*, to Marlene H. Dortch, Secretary, Federal Communications Commission, PS Docket No. 07-114 (Aug. 3, 2018).

use of either dispatchable location or x/y location within 50 meters was based on a far less detailed and proven technical record.[3] As the order acknowledged, the dispatchable location option was unproven and not yet available, explaining "dispatchable location cannot be achieved overnight [and] the implementation concerns raised by commenters must be addressed."[4] The order also acknowledged that there is "no guarantee that dispatchable location will be successfully deployed or will function as intended."[5] The Commission therefore also adopted the alternative option of x/y location within 50 meters even though it was unclear whether multiple technologies could meet this requirement.

The NextNav representatives also responded to questions from Bureau staff regarding the cost to wireless carriers of making a z-axis solution available that is compliant within 3 meters using NextNav's technology in each of the top 50 census metropolitan areas ("CMAs"). It was explained that NextNav could make 3 meter-compliant z-axis service available at a nominal cost (in aggregate, significantly less than a penny per month per handset). Additionally, since only software elements are required in each handset, no incremental cost burdens are imposed on new handsets. The FCC has already concluded in its 2015 wireless location order that even modest improvement in the speed of locating E911 callers provides enormous economic benefit.[6] That same record contains documentation that knowledge of the vertical location of callers within 3 meters dramatically reduces first responder search time.[7]

In addition, the NextNav representatives responded to questions from Bureau staff regarding the timeline for constructing NextNav's location network in the top 25 CMAs prior to the April 2021 deadline for z-axis capabilities established by the Commission's 2015 wireless location order. NextNav confirmed that it could complete the construction of its indoor location network in the top 25 CMA's prior to the April 2021 deadline. Further, although wireless handsets that include NextNav's enabling software could be made available by the April 2021 deadline,

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[3] *See* Wireless E911 Location Accuracy Requirements, *Fourth Report and Order*, 30 FCC Rcd 1259 (2015).

[4] *Id.*, ¶ 64.

[5] *Id.*, ¶ 73.

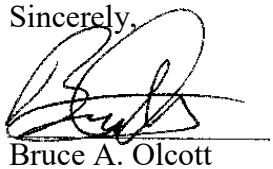
[6] *See id.*, ¶ 166 (concluding that "the location accuracy improvements we adopt today have the potential to save approximately 10,120 lives annually, at a value of $9.1 million per life, for an annual benefit of approximately $92 billion, or $291 per wireless subscriber").

[7] *See id.*, ¶ 161 n.372 (referencing a fire department demonstration in San Francisco that showed that "a 90 percent reduction in first responder search area led to a dramatic reduction in latency, between 4 and 17 minutes").

delays in the adoption of a z-axis metric will invariably reduce the number and variety of compliant handsets that would be available to consumers prior to the April 2021 deadline.

Please contact the undersigned if you have any questions about this matter.

Sincerely,



Bruce A. Olcott

cc: David Furth
Rasoul Safavian
Austin Randazzo
Eric Ehrenreich
Brenda Boykin
Nellie Foosaner